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C.8.1052 (2)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

(CHHATTISGARH)

WRIT PETITION NO.1733 OF 2004

PETITIONER :

University for Research and Education Promotion, A Private University established, incorporated and notified under Chhattisgarh Nizi Kshetra Vishwa Vidyalaya (Sthapana Aur Viniyaman) Adhiniyam, 2002, C-66/5 Tagore Nagar, Near M.L.A. Rest House, Raipur (C.G.).
Through its Authorised Signatory Shri Rajesh Rathi, S/O Shri S.R. Rathi, Aged about 38 years, R/O 272-C Chhatrapur, New Delhi – 30.

P.R. No. 1750/04
Presented by Shri A.V.S. Rajput
dated 25-6-04

- Versus -

RESPONDENTS :

1. State of Chhattisgarh,
Through: Secretary,
Department of Higher Education,
Mantralaya, D.K.S. Bhawan,
Raipur (C.G.).

2. Regulatory Commission, Constituted under the Chhattisgarh Nizi Kshetra Vishwa Vidyalaya (Sthapana Aur Viniyaman) Adhiniyam, 2002 (No.2 of 2002), C/o Secretary, Department of Higher Education, Mantralaya, D.K.S. Bhawan, Raipur (C.G.).

Photo Copy 25/6/04 Clerk to A.G. Bilaspur

WRIT PETITION UNDER ARTICLES 226 / 227 OF THE CONSTITUTION OF INDIA

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. No. 1733/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	D.B: HON'BLE SHRI JUSTICE A.K.PATNAIK, C.J & HON'BLE SHRI DILIP RAOSAHEB DESHMUKH, J. **23.09.2005** None appears for the petitioner(s). Mr. Ravindra Agrawal, P.L. has appeared for the State of Chhattisgarh. Mr. Agrawal states that in this writ petition the petitioner had challenged the provisions of Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthpana Aur Viniyaman) Sansodhan Adhiniyam, 2004 by which the Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthpana Aur Viniyaman) Adhiniyam, 2002 was amended. By a judgment of Supreme Court in the case of *Prof. Yashpal and others v. State of Chhattisgarh and another* reported in **2005 (5) SCC 420,** the provisions of the Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthapana) Aur Viniyaman) Adhiniyam, 2002 have been declared to be ultra vires of the Constitution and therefore this writ petition has become infructuous. After considering the submission made by Mr. Ravindra Agrawal, we find that this writ petition has become infructuous and we accordingly dispose of the same. **Sd/-** **Chief Justice** **Sd/-** **Dilip Raosaheb Deshmukh** **Judge**	